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S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM THE ADMINISTRATIVE LAW COURT
Deborah Brooks Dunder, Administrative Law Judge
Case No. 16-ALJ-15-0035-AP
2017-000286

Alonzo C. Jeter, III, #282902

Appellant

v

South Carolina Department of Probation,
Parole, and Pardon Services,

Respondent.

NOTICE OF APPEAL

Alonzo C. Jeter, III appeals the decision of the South Carolina
Court of Appeals dated July 5, 2018. Appellant received a copy of
this decision on July 10, 2018.

August 6, 2018

~~S/ Alonzo C. Jeter, III~~

Alonzo C. Jeter, III
Perry Correctional Institution
430 OAKLAWN ROAD
Pelzer, SC 29669

APPELLANT

Tommy Evans, Jr.
Assistant General Counsel
South Carolina Department of Probation,
Parole, and Pardon Services
Post Office Box 50666
Columbia, SC 29250
(803)-734-9220

ATTORNEY FOR RESPONDENT

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THE STATE OF SOUTH CAROLINA
In The Supreme Court

S.C. SUPREME COURT

APPEAL FROM THE ADMINISTRATIVE LAW COURT
Deborah Brooks Durdan, Administrative Law Judge
Case No. 16-ALJ-15-0035-AP
2017-000286

Alonzo C Jeter, III, #282902, Appellant,


South Carolina Department of Probation,
Parole, and Pardon Services, Respondent.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal and Motion To Proceed In Forma Pauperis on the South Carolina Administrative Law Court (Deborah Brooks Durdan, Judge) and the South Carolina Court of Appeals by depositing a copy of said documents in the United States Mail, postage prepaid, on August 6, 2018; addressed as follows:

Administrative Law Court
Deborah Brooks Durdan, Judge
1205 Pendleton St., Suite 224
PO Box 11667
Columbia, SC 29211-1667

The Honorable Jerry Kitchings
Clerk, SC Court of Appeals
1015 Sumter Street - 5th Floor
Columbia, South Carolina 29201


Alonzo C Jeter, III
Perry Correctional Institution
430 OAKLAWN ROAD
Pelzer, SC 29669
APPELLANT

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APPEAL FROM THE ADMINISTRATIVE LAW COURT
Deborah Brooks Dunder, Administrative Law Judge

Case No. 16-ALJ-15-0035-AP
2017-000286


Alonzo C Jeter, III, #282902 Appellant,

v

South Carolina Department of Probation,
Parole, and Pardon Services, Respondent.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the South Carolina Department of Probation, Parole, and Pardon Services by depositing a copy of it in the United States Mail, postage prepaid, on August 6, 2018, addressed to attorney of record, Tommy Evans, Jr., Post Office Box 50666, Columbia, South Carolina 29250.

S/ 
Alonzo C. Jeter, III
Perry Correctional Institution
430 OAKLAWN ROAD
Pelzer, SC 29669
APPELLANT

Alonzo C. Jeter, III

Perry Correctional Institution

Q2-A-108/#282902

430 OAKLAWN ROAD

Pelzer, SC 29669

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P.C.I. MAILROOM

Supreme Court of South Carolina

The Honorable Daniel E. Shearouse, Chief Justice

Post Office Box 11330

Columbia, SC 29211

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

Alonzo C. Jeter, III, Appellant,

v.

South Carolina Department of Probation, Parole, and
Pardon Services, Respondent.

Appellate Case No. 2017-000286

Deborah Brooks Durden, Administrative Law Judge

Unpublished Opinion No. 2018-UP-306
Submitted June 1, 2018 – Filed July 5, 2018

AFFIRMED

Alonzo C. Jeter, III, pro se.

Tommy Evans, Jr., of the South Carolina Department of
Probation, Parole, and Pardon Services, of Columbia, for
Respondent.

PER CURIAM: Affirmed pursuant to Rule 220(b), SCACR, and the following
authorities: *S.C. Dep't of Corrs. v. Mitchell*, 377 S.C. 256, 258, 659 S.E.2d 233,
234 (Ct. App. 2008) (providing "section 1-23-610 of the South Carolina
Code ([Supp. 2017]) sets forth the standard of review when the court of appeals is
sitting in review of a decision by the ALC on an appeal from an administrative
agency"); S.C. Code Ann. § 1-23-610(B) (Supp. 2017) (providing when reviewing

an ALC decision, "[t]he court of appeals may . . . reverse or modify the decision if the substantive rights of the petitioner have been prejudiced because the finding, conclusion, or decision is: (a) in violation of constitutional or statutory provisions; (b) in excess of the statutory authority of the agency; (c) made upon unlawful procedure; (d) affected by other error of law; (e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; or (f) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion"); S.C. Code Ann. § 44-53-375(C)(1)(b) (2018) (providing a person who is guilty of trafficking methamphetamine or cocaine base between ten and twenty-eight grams must be sentenced to "a term of imprisonment of not less than five years nor more than thirty years" for his second offense); S.C. Code Ann. § 16-1-90(A) (Supp. 2017) (listing a section 44-53-375(C)(1)(b) offense as a Class A felony); S.C. Code Ann. § 24-13-100 (2007) (providing Class A felonies are no-parole offenses), *repealed in part by Bolin v. S.C. Dep't of Corrs*, 415 S.C. 276, 286, 781 S.E.2d 914, 919 (Ct. App. 2016) (holding a second offense under subsection 44-53-375(B) of the South Carolina Code (2018) is no longer considered a no-parole offense).

AFFIRMED.¹

HUFF, GEATHERS, and MCDONALD, JJ., concur.

¹ We decide this case without oral argument pursuant to Rule 215, SCACR.



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V CLAIRE ALLEN
DEPUTY CLERK

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COLUMBIA, SOUTH CAROLINA 29211
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COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE (803) 734-1890
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July 23, 2018

The Honorable Jana E. Shealy
1205 Pendleton Street
Columbia SC 29201

REMITTITUR

Re: Alonzo Jeter #282902 v. SCDPPPS
Lower Court Case No. 2016ALJ150035AP
Appellate Case No. 2017-000286

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

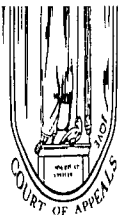
Very truly yours,

A handwritten signature in cursive script, appearing to read "Jenny A. Kitchings".

CLERK

Enclosure

cc: Alonzo C. Jeter, III, 282902
Tommy Evans, Jr., Esquire



POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211

2/2/18

Almon

ALONZO C. JETER, III, 282902
PERRY CORRECTIONAL INSTITUTION
Q1-B-215/282902
430 OAKLAWN ROAD
PELZER SC 29669



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011D12602624

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MAR 26 2018

PC.I. MAILROOM

29669-070498

